## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:06CV00206-MU

WALTER E. BARRINGER	)	
Plaintiff,	)	
	)	
v.	)	ORDER
AAA COOPER	)	
	)	
Defendant.	)	

**THIS MATTER** is before this Court upon Plaintiff's "Motion for Reconsideration" (Document #24). Plaintiff requests that the Court reconsider its April 17, 2007 Order in which the Court granted Defendants' Motions to Dismiss.

Federal Rule of Civil Procedure 4(c)(1) requires a plaintiff to serve the defendant with both a summons and the complaint within 120 days. If such service does not occur, a court can either dismiss the case or if the plaintiff shows good cause for the failure to serve, direct that service be effected. See Fed. R. Civ. P. 4(c)(1).

In its Order, the Court noted that Barringer neither served the defendant within the allowed time nor showed good cause as to why service was not effected. Plaintiff's Motion to Reconsider fails to allege any facts that would rectify Plaintiff's failure to serve nor does Plaintiff demonstrate good cause as to why service was not effected.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Reconsideration is hereby DENIED.

Signed: June 13, 2007

Graham C. Mullen United States District Judge